

146 C19 Financial

MARCIA M. WALDRON
CLERK

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
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PHILADELPHIA 19106-1790

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Middle (Harrisburg) Clerk of District Court
(District)

Date 12/17/02

Carter v. Horn
(Caption)

C. of A. No. 01-1506

John Carter
(Appellants)

Civil 00-00834
(D.C. No.) *J. Waldron*

RECEIVED

DEC 20 2002 *at*

Enclosures:

12/17/02 Certified copy of C. of A. Order by the Clerk.
(Date)

WY E. D'ANDREA, CLERK

_____ Released (Record) (Supplemental Record - First - Second - Third)

_____ Copy of this form to acknowledge receipt and return to C. of A.

_____ Record not released at this time until appeal(s) closed at No.(s) _____

_____ Please forward Certified List in Lieu of Record to this office.

_____ The certified copy of order issued as the mandate on _____
is recalled.

Margaret J. De...
Quality Assurance Analyst Telephone Number (267)-299-4931

Receipt Acknowledge:

ackn'd
(Name)

12/20/02
(Date) *BRG*

Rev. 3/13/00
Appeals (Certified List in Lieu of Record)

December 17, 2002
UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 01-1506

Carter v. Horn
(M.D. Pa. No. 00-cv-00834)

ORDER

FILED
HARRISBURG, PA
DEC 20 2002

MARY E. D'AMICO, CLERK
Per 918

Appellant, a prisoner has requested leave to proceed in forma pauperis on appeal. As a prisoner appellant is required to pay the full \$105.00 fee in installments regardless of the outcome of the appeal. Appellant has completed and filed the required authorization form permitting the appropriate prison officials to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2).

In accordance with this Court's November 29, 2002 which directed that an assessment be made pursuant to 28 U.S.C. § 1915(b), it is hereby ORDERED that the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.

For the Court,

Marcia M. Waldron

Clerk

Dated: December 17, 2002

mgd/cc: Mr. John Carter
Jonathan J. Bart, Esq.
Seth A. Mendelsohn, Esq.

A True copy
Shirley L. Davis
Deputy Clerk